
TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule
LSA Document #18-521(E)

DIGEST

Amends [71 IAC 14.5-2-1.5](#) regarding embryo transfer registration. Effective December 7, 2018.

[71 IAC 14.5-2-1.5](#)

SECTION 1. [71 IAC 14.5-2-1.5](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 14.5-2-1.5](#) Embryo transfer registration

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31](#)

Sec. 1.5. (a) In order to be eligible to register **the following** quarter horse embryo transfer foals as Indiana bred:

- (1) The foals must be foaled in Indiana.
- (2) The donor mare and recipient mare must:
 - (A) be registered with the commission; and
 - (B) have entered Indiana by July 1 of each year prior to foaling.
- (3) All mares must remain in Indiana continuously until foaling except if the donor mare and recipient ~~mare(s)~~ **mare or mares** are registered and reside in the state by July 1, in which case the donor mare may leave the state to flush embryos. The commission must be notified in writing prior to the time the mare leaves.

(b) In the event a mare entered Indiana or is registered with the commission after July 1, the foal (which must be foaled in Indiana) may be eligible to be registered as an Indiana bred. To be eligible:

- (1) the donor mare may only be bred back or flushed to a registered Indiana stallion in the year of foaling for the ~~foal(s)~~ **foal or foals** to qualify as an Indiana bred; ~~and~~
- (2) the stallion must be registered with the commission in the year the foal was conceived. If the donor mare and recipient ~~mare(s)~~ **mare or mares** arrive after July 1, the donor mare and recipient ~~mare(s)~~ **mare or mares** must reside in the state until June 30th of the foaling year;
- (3) if the mare fails to conceive when bred or is unfit to breed due to health reasons, a veterinarian certificate is required from a licensed veterinarian and must be submitted to the commission; **and**
- (4) if the mare or recipient mare does not conceive, she must remain:
 - (A) open for that breeding season in order for the mare's current foal to be eligible to be registered as an Indiana bred; and
 - (B) ~~remain~~ in Indiana until June 30th of the foaling year.

(c) In the event there is more than one (1) recipient mare, each recipient mare and foal must be properly registered.

(d) A copy of the donor mare registration papers and all lease agreements must accompany the application for identification and ownership purposes.

(e) The recipient mare must be able to be identified by **the following**:

- (1) Indiana breed development identification form.
- (2) American Quarter Horse Association certificate of registration.

(f) The donor mare may leave the state to participate in:

- (1) stakes;
- (2) medical care; or

(3) an advertised public sale.

~~(3)~~ A mare leaving the state for an advertised public sale may ~~(A)~~ be gone for the interval of the sale, but must return to Indiana within fifteen (15) days of her sale. ~~and (B)~~ Written documentation of the sale is required. ~~(C)~~ The director of breed development must be notified in writing within fifteen (15) days of the departure and return

of the advertised public sale.

(g) The director of breed development may approve requests for a donor mare to leave the state for any reason not provided in subsection (f). A request made to the director of breed development must be made in writing and include the following:

- (1) The requested departure date of the donor mare.
- (2) The ~~reason(s)~~ **reason or reasons** that the donor mare must leave the state. ~~and~~
- (3) The anticipated date of return of the donor mare to the state.

All written requests ~~should~~ **shall** be made at least fifteen (15) days prior to the requested departure date. Approval is granted at the sole discretion of the director of breed development, **or another commission designee**. Conditional approval **of a request** may be granted ~~by the director of breed development~~ subject to any conditions deemed appropriate. ~~The director of breed development may, at any time, request additional information regarding the reason(s) for the donor mare to leave the state.~~ **The party requesting to leave the state may be required to provide additional information regarding the reason or reasons for the donor mare to leave the state prior to approval of any request. A response will be issued no later than five (5) days prior to the requested departure date. A request is deemed denied if no formal approval is provided prior to the requested departure date.**

(h) All mares in foal must be registered every year.

(Indiana Horse Racing Commission; [71 IAC 14.5-2-1.5](#); emergency rule filed Jan 24, 2008, 10:58 a.m.: [20080206-IR-071080056ERA](#), eff Jan 23, 2008 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the Publisher. LSA Document #08-56(E) was filed with the Publisher January 24, 2008.]; errata filed Feb 18, 2008, 2:03 p.m.: [20080305-IR-071080056ACA](#); emergency rule filed Jan 25, 2012, 12:20 p.m.: [20120201-IR-071120056ERA](#); emergency rule filed Feb 25, 2015, 2:55 p.m.: [20150304-IR-071150055ERA](#); emergency rule filed Nov 15, 2018, 2:47 p.m.: [20181121-IR-071180512ERA](#); emergency rule filed Dec 7, 2018, 1:21 p.m.: [20181212-IR-071180521ERA](#))

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